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August 3, 2020

VIA ECF

The Honorable Ronnie Abrams
U.S. District Judge
Thurgood Marshall United States Courthouse
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Rollag v. Cowen Inc., et al.; Case No. 1:20-cv-05138-RA

Dear Judge Abrams:

We represent Plaintiff Kevin Rollag in the above-referenced action and write in accordance with Rule 1(A) of Your Honor's Individual Rules & Practices to request and inform the Court that, absent an Order from the Court that differs, Plaintiff intends to respond to Defendants' letter motion to seal Plaintiff's Complaint on or by Wednesday, August 5, 2020. Plaintiff's letter response will of course be submitted via ECF.

We thank Your Honor for the Court's attention to this matter.

Respectfully submitted,



Lawrence M. Pearson

cc: Counsel for Defendants (*via* ECF)

Application granted. In light of the fact that Plaintiff's Complaint was filed on July 6, 2020, Dkt. 1, and Defendants' letter motion to seal was not filed until July 31, 2020, Dkt. 18, it is likely that "the proverbial cat is out of the bag." *SOHC, Inc. v. Zentis Sweet Ovations Holding LLC*, No. 14-CV-2270 JMF, 2014 WL 5643683, at *6 (S.D.N.Y. Nov. 4, 2014); *see also Gambale v. Deutsche Bank AG*, 377 F.3d 133, 144 (2d Cir. 2004) ("[H]owever confidential [the information] may have been beforehand, subsequent to publication it was confidential no longer."). Plaintiff's response and Defendants' reply, if any, shall thus address the case law cited above.

SO ORDERED.



Hon. Ronnie Abrams
8/3/2020